

From the INTERNATIONAL SEARCHING AUTHORITY

**PCT**

To:

KENYON & KENYON  
Attn. Somerville, Deborah A.  
One Broadway New York  
New York 10004  
UNITED STATES OF AMERICA

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing  
(day/month/year)

10/03/2005

Applicant's or agent's file reference  
11245/53276

**FOR FURTHER ACTION** See paragraphs 1 and 4 below

International application No.  
PCT/US2004/013852

International filing date  
(day/month/year) 03/05/2004

Applicant

IMCLONE SYSTEMS INCORPORATED

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

**When?** The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35

**For more detailed instructions,** see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

**4. Reminders**

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until **30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

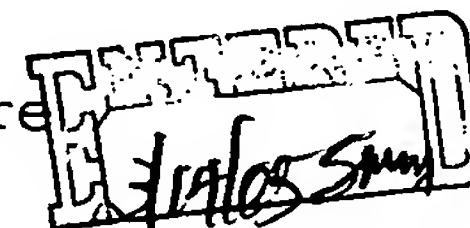
See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the International Searching Authority

 European Patent Office, P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Catriona Cleere



## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 11245/53276	<b>FOR FURTHER ACTION</b> see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2004/013852	International filing date (day/month/year) 03/05/2004	(Earliest) Priority Date (day/month/year) 01/05/2003
Applicant  IMCLONE SYSTEMS INCORPORATED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 7 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☒ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☒ **Certain claims were found unsearchable** (See Box II).

3. ☐ **Unity of invention is lacking** (see Box III).

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

- a. the figure of the **drawings** to be published with the abstract is Figure No. \_\_\_\_\_



as suggested by the applicant.



as selected by this Authority, because the applicant failed to suggest a figure.



as selected by this Authority, because this figure better characterizes the invention.

- b. ☒ none of the figures is to be published with the abstract.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US2004/013852

## Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.b of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, the international search was carried out on the basis of:
  - a. type of material
    - ☒ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material
    - ☒ in written format
    - ☒ in computer readable form
  - c. time of filing/furnishing
    - ☐ contained in the international application as filed
    - ☐ filed together with the international application in computer readable form
    - ☒ furnished subsequently to this Authority for the purpose of search
2. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
3. Additional comments:

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/US2004/013852

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07K16/28 A61K39/395 A61P35/00 C12N15/13 C12N15/63  
C12N5/10

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, WPI Data, EMBASE, PAJ, Sequence Search

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02/053596 A (PFIZER INC; ABGENIX, INC; COHEN, BRUCE, D; BEEBE, JEAN; MILLER, PENELO) 11 July 2002 (2002-07-11) examples 4,11,12	1-56
E	WO 2004/087756 A (F. HOFFMANN-LA ROCHE AG; GRAUS, YVO; KOPETZKI, ERHARD; KUENKELE, KLAUS) 14 October 2004 (2004-10-14) page 43; example 2	1-56
E	WO 2004/083248 A (PHARMACIA CORPORATION; MORTON, PHILIP, A; ARBUCKLE, J., ALAN; BAILEY,) 30 September 2004 (2004-09-30) examples 3,4	1-56



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

\* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \* & \* document member of the same patent family

Date of the actual completion of the international search

14 February 2005

Date of mailing of the international search report

10/03/2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Wagner, R

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US2004/013852

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
E	WO 2004/071529 A (PFIZER PRODUCTS INC; COHEN, BRUCE, DAVID; BEDIAN, VAHE; WANG, HUIFEN,) 26 August 2004 (2004-08-26) page 17 - page 18 -----	1-56
P,X	WO 03/100008 A (SCHERING CORPORATION; WANG, YAN; GREENBERG, ROBERT; PRESTA, LEONARD; P) 4 December 2003 (2003-12-04) page 69 -----	1-56
A	HAILEY J ET AL: "NEUTRALIZING ANTI-INSULIN-LIKE GROWTH FACTOR RECEPTOR 1 ANTIBODIES INHIBIT RECEPTOR FUNCTION AND INDUCE RECEPTOR DEGRADATION IN TUMOR CELLS" MOLECULAR CANCER THERAPEUTICS, AMERICAN ASSOCIATION OF CANCER RESEARCH, US, vol. 1, no. 14, December 2002 (2002-12), pages 1349-1353, XP008026465 ISSN: 1535-7163 the whole document -----	1-56
A	VAUGHAN T J ET AL: "HUMAN ANTIBODIES WITH SUB-NANOMOLAR AFFINITIES ISOLATED FROM A LARGE NON-IMMUNIZED PHAGE DISPLAY LIBRARY" NATURE BIOTECHNOLOGY, NATURE PUBLISHING, US, vol. 14, 1 March 1996 (1996-03-01), pages 309-314, XP000196144 ISSN: 1087-0156 the whole document -----	1-56
A	WO 96/33735 A (CELL GENESYS, INC) 31 October 1996 (1996-10-31) the whole document -----	1-56
P,A	LU DAN ET AL: "Simultaneous blockade of both the epidermal growth factor receptor and the insulin-like growth factor receptor signaling pathways in cancer cells with a fully human recombinant bispecific antibody." JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 279, no. 4, 23 January 2004 (2004-01-23), pages 2856-2865, XP002316541 ISSN: 0021-9258 the whole document -----	1-56

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## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US2004/013852

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,A	<p>BURTRUM DOUGLAS ET AL: "A fully human monoclonal antibody to the insulin-like growth factor I receptor blocks ligand-dependent signaling and inhibits human tumor growth in vivo." CANCER RESEARCH, vol. 63, no. 24, 15 December 2003 (2003-12-15), pages 8912-8921, XP002316542 ISSN: 0008-5472 the whole document -----</p>	1-56



# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US2004/013852

## Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
  
Although claims 34-56 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US2004/013852

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 02053596	A	11-07-2002	CA 2433800 A1	11-07-2002
			CZ 20032131 A3	14-01-2004
			EE 200300318 A	15-10-2003
			EP 1399483 A2	24-03-2004
			HU 0302525 A2	28-10-2003
			JP 2004531217 T	14-10-2004
			NO 20033074 A	04-07-2003
			SK 9932003 A3	08-06-2004
			WO 02053596 A2	11-07-2002
			US 2004086503 A1	06-05-2004
			ZA 200305995 A	04-08-2004
WO 2004087756	A	14-10-2004	WO 2004087756 A2	14-10-2004
			US 2004228859 A1	18-11-2004
WO 2004083248	A	30-09-2004	WO 2004083248 A1	30-09-2004
			US 2004202655 A1	14-10-2004
WO 2004071529	A	26-08-2004	WO 2004071529 A2	26-08-2004
			US 2004202651 A1	14-10-2004
WO 03100008	A	04-12-2003	CA 2484000 A1	04-12-2003
			WO 03100008 A2	04-12-2003
			US 2004018191 A1	29-01-2004
WO 9633735	A	31-10-1996	AU 5632296 A	18-11-1996
			CA 2219361 A1	31-10-1996
			EP 0822830 A1	11-02-1998
			JP 11505523 T	21-05-1999
			WO 9633735 A1	31-10-1996
			US 6075181 A	13-06-2000
			US 6713610 B1	30-03-2004
			US 6150584 A	21-11-2000
			US 6657103 B1	02-12-2003